

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Yvette A. Thomas, a Special Agent with the U.S. Department of Homeland Security Investigations, Homeland Security Investigations (HSI) Charleston, Assistant Special Agent in Charge Office (ASAC) being duly sworn, depose and state as follows:

INTRODUCTION

1. I have been employed as a Special Agent (“SA”) of the U.S. Department of Homeland Security, Homeland Security Investigations (“HSI”), since 2009, and am currently assigned to the Assistant Special Agent in Charge (ASAC) in Charleston, South Carolina. While employed by HSI, I have investigated federal criminal violations related to high technology or cybercrime, child exploitation, and child pornography. I have gained experience through training at the Federal Law Enforcement Training Center (FLETC) and everyday work relating to conducting these types of investigations. I have received training in the area of child pornography and child exploitation and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media. I am a federal law enforcement officer authorized by the Secretary of Homeland Security to request the issuance of search warrants. I was previously assigned to the RAC Wilmington, Delaware, office for approximately ten (10) years and currently assigned to the ASAC Charleston, South Carolina office. I was previously employed as a United States Postal Inspector with the United States Postal Inspection Service (USPIS) for seven (7) years, where my responsibilities included conducting investigations into various types of federal crimes, including crimes involving child pornography. I have received training from HSI and USPIS, regarding child pornography, the sexual abuse of children, the behavior of preferential child molesters and how to conduct investigations of child sexual exploitation and obscenity crimes. In the course of my investigative duties, I have also had contact, in the form of interviews and meetings, with preferential child

pornographers and those involved in the distribution, sale, production, and possession of child pornography. And I have assisted in the execution of numerous search warrants relating to investigations of child pornography crimes. Since then, I have assisted federal and state partners during their child exploitation investigations. As such, I have become familiar with ways that child pornography is shared, distributed, and/or produced including the use of various social media websites (Facebook, Twitter, Kik, SnapChat, Discord, etc.), “Cloud” based storage, and Peer-to-Peer Networks. Often times, individuals involved in child exploitation will “collect” or store images and/or videos in offsite locations such as “Cloud” based storage to avoid detection by law enforcement such as “Mega” and others or have it stored on various media devices that are kept at their residence. I have also become familiar with jargon or slang terms that people involved in child exploitation will use to discuss their activities. Additionally, I have become familiar with how child pornography is sold, traded, and distributed on the “Dark Net,” often being purchased with digital currency such as Bitcoin, Ripple, and others. Moreover, I am a federal law enforcement officer who is engaged in enforcing the criminal laws, including 18 U.S.C. §§ 2251, and I am authorized by law to request a search warrant.

2. As a federal agent, I am authorized to investigate violations of the laws of the United States and to execute warrants issued under the authority of the United States.

3. This Affidavit is submitted in support of a criminal complaint charging THEODORE WOOLINGS BYE III, age 36, of Myrtle Beach, South Carolina 29577, with violating of Title 18 United States Code, §§ 2251(a) and (e) Production of Child Pornography (the “SPECIFIED FEDERAL OFFENSE”).

a. On June 4, 2020, and
THEODORE WOOLINGS BYE III, a 35-year-old male engaged in sexual intercourse with

a sixteen-year-old minor (the “MINOR CHILD”). The incident was memorialized via video recording and occurred at a motel in Surfside Beach, South Carolina 29587.

- b. On August 25, 2020, _____ and THEODORE WOOLINGS BYE III, a 35-year-old male engaged in sexual intercourse with a sixteen-year-old minor (the “MINOR CHILD”). The incident was memorialized via video recording and occurred at _____ Myrtle Beach, South Carolina 29577.

4. The statements contained in this Affidavit are based on my experience and background as a Special Agent and on information provided by other law enforcement agents. I have not set forth every fact relating to this investigation; rather, I have included only that information necessary to establish probable cause to charge THEODORE WOOLINGS BYE III with violating the SPECIFIED FEDERAL OFFENSE.

THE SPECIFIED FEDERAL OFFENSE

5. 18 U.S.C. § 2251(a) and (e) (Production of Child Pornography) prohibits any person from employing, using, persuading, inducing, enticing, or coercing any minor to engage in, or having a minor assist any other person to engage in, or transporting any minor in or affecting interstate or foreign commerce with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct or for the purpose of transmitting a live visual depiction of such conduct, if such person knows or has reason to know that such visual depiction will be transported or transmitted using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed; or if that visual depiction was produced or transmitted using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer; or if such visual depiction has actually been transported or transmitted using any means or facility

of interstate or foreign commerce or in or affecting interstate or foreign commerce or mailed; or attempting or conspiring to do so.

DEFINITIONS

6. The following definitions apply to this Affidavit:

a. “Child pornography,” as defined in 18 U.S.C. § 2256(8), is any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical or other means, of sexually explicit conduct, where (a) the production of the visual depiction involved the use of a minor engaged in sexually explicit conduct, (b) the visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaged in sexually explicit conduct, or (c) the visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaged in sexually explicit conduct.

b. “Minor,” as defined in 18 U.S.C. § 2256(1), refers to any person under the age of eighteen years.

d. “Sexually explicit conduct,” as defined in 18 U.S.C. § 2256(2), means actual or simulated (a) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex; (b) bestiality; (c) masturbation; (d) sadistic or masochistic abuse; or (e) lascivious exhibition of the anus, genitals, or pubic area of any person.

e. “Visual depiction,” as defined in 18 U.S.C. § 2256(5), includes undeveloped film and videotape, data stored on computer disc or other electronic means which is capable of conversion into a visual image, and data which is capable of conversion into a visual image that has been transmitted by any means, whether or not stored in a permanent format.

DETAILS OF INVESTIGATION

6. On or about September 3, 2020, the Horry County Sheriff's Office (HCSO) and the South Carolina Law Enforcement Department (SLED) received information that a MINOR CHILD living in the Myrtle Beach, South Carolina area was reported as being involved in human trafficking and production of child pornography which was being orchestrated by an adult female by the name of "Hannah" and an adult male by the name of "Tripp". Per the direction of "Hannah", the MINOR CHILD was directed to engage in sexual encounters with random adult males that were recruited and vetted by "Hannah". The sexual encounters between the MINOR CHILD and the various male subjects were video recorded and sent back to "Hannah" for her pleasure and a form of punishment of the MINOR CHILD by "Hannah". All communication between "Hannah" and the MINOR CHILD occurred on the text application, SnapChat.

7. On or about February of 2020, the MINOR CHILD met "Hannah" on Wattpad website in a BDSM chat group. Wattpad is a website and application for writers to publish new user-generated stories. Wattpad has various chat boards on various topics i.e. paranormal, fantasy, teenfiction, etc. "Hannah" and the MINOR CHILD soon switched from the Wattpad chat board to a private chat conversation via SnapChat. "Hannah's" SnapChat username is "hgliese". The relationship between "Hannah" and the MINOR CHILD quickly became a dominate ("domme") and submissive ("sub") relationship with "Hannah" being the "domme" and the MINOR CHILD, the "sub". "Hannah" purported to be a seventeen-year-old female living in the Columbia, South Carolina area. Several nude photographs and videos of the MINOR CHILD were sent to "Hannah" by the MINOR CHILD at the direction or request of "Hannah". The images and videos consisted of nude selfies and masturbation videos of the MINOR CHILD.

8. A few weeks into the online relationship between "Hannah" and the MINOR CHILD, "Hannah" requested that the MINOR CHILD meet and engage in sexual intercourse with

adult males chosen and vetted by “Hannah”. “Hannah” instructed the MINOR CHILD to videotape the sexual encounters and send back to “Hannah” as proof of the encounters and a form of punishment against the MINOR CHILD. The MINOR CHILD met several adult males at the direction of “Hannah”, engaged in sexual intercourse which were videotaped and sent back to “Hannah” via her SnapChat account – hgliese.

9. On one occasion, the MINOR CHILD was picked up at her residence by a male subject by the name of “Tripp”. “Tripp” and the MINOR CHILD engaged in sexual intercourse which was videotaped and sent back to “Hannah”. “Tripp” was vetted, and the meeting was arranged by “Hannah”. After the initial meeting occurred, “Tripp” became the MINOR CHILD’s “security” for all future sexual encounters. On numerous occasions, the MINOR CHILD was picked up by “Tripp”, driven to different locations for the sexual encounters that were either arranged and vetted by “Hannah” and/or “Tripp”. The sexual encounters with the MINOR CHILD were video recorded and sent back to “Hannah”.

10. On or about September 11, 2020, Special Agent Logan Fey of SLED was advised of videos pertaining to the MINOR CHILD were posted on a Facebook group page called P.A.N.D.A Horry County. According to the Facebook profile page, which is open to the public, P.A.N.D.A. stands for Parents Against Not Doing Anything. “This group is a public place to call out the people here praying on our kids. Change doesn’t happen behind a computer. Change happens with action. learn the faces. and the games. SAVE OUR KIDS!” “These are nonviolent confrontations and all events are turned over to the police to further look into”. PANDA is a vigilante group that lures predators to area hotels under a ruse to engage in sex with purported minors. The P.A.N.D.A. organizer uses a photograph of a purported minor to lure the subject via social media to engage in conversation and eventually meet for sex. They then confront the predator at the meet location which is video recorded and posted to their Facebook profile page

along with the screen shots of the chat conversations leading up to the encounter. Any information that could be used to identify the subject is also posted to the Facebook page.

11. On or about September 11, 2020, the MINOR CHILD's mother reported a video that was posted by the P.A.N.D.A Horry County Facebook community page of an adult white male subject meeting with a purported minor at a hotel in Myrtle Beach, South Carolina to engage in sexual intercourse. The P.A.N.D.A owner also posted a picture of the MINOR CHILD in the comment section of the video posting. The photograph was taken in the MINOR CHILD's bedroom. The MINOR CHILD is wearing a black or blue skirt with two white stripes at the bottom of the skirt and black or blue knee-high socks with a white stipe at the top of the socks just below the knee area. A second photograph posted in the comments by P.A.N.D.A is a selfie of a white male subject with a beard wearing a gray hat and a gray short sleeved t-shirt taken with the MINOR CHILD.

12. On or about September 11, 2020, a review of the video was conducted from an undercover Facebook account. In the video, an adult white male subject with a beard and wearing a long sleeve shirt is seen in the video getting into a pickup truck, white in color with South Carolina registration number TER 787. It's the same white male subject in the photograph with the MINOR CHILD that was posted in the comment section of the video posted by P.A.N.D.A.

13. On or about September 11, 2020, the white male subject was identified as Theodore Woolings BYE (DOB: from the South Carolina vehicle registration number TER 787. Theodore BYE possess a South Carolina driver's license number 105295930 with an address of Myrtle Beach, South Carolina 29577. The subject photographed in the South Carolina division of motor vehicle license number 105295930 is the same subject in the P.A.N.D.A video.

14. On or about September 14, 2020, Theodore Woolings BYE was identified as “Tripp”. An open source check of Facebook was conducted for a Facebook profile for Theodore BYE and Tripp BYE. A Facebook profile page was found for Tripp Bye. According to the Facebook profile, Tripp Bye is a male subject who is single and lives in the Myrtle Beach, South Carolina area. Photographs found on the public Facebook profile matched the same subject from the P.A.N.D.A video and South Carolina motor vehicle driver’s license photograph – driver’s license number 105295930.

15. On or about September 16, 2020, HSI ASAC Charleston, South Carolina, the State Law Enforcement Department (SLED) and the Horry County Sheriff’s Office (HCSO) executed a state search warrant at Myrtle Beach, South Carolina 29577. Agents and officers conducted a search of the residence for any evidence pertaining to human trafficking and child pornography violations. Evidentiary items discovered during the execution of the search warrant were seized by HSI ASAC Charleston in furtherance of an ongoing investigation. The following items were seized:

- Samsung Galaxy Note 5 – IMEI: 990007020934821
- Samsung Galaxy Note 5 – IMEI: 990005884071490
- Macbook – SN: C02VN3ACHV2M
- Samsung Galaxy S5
- ASUS Tablet
- Hewlett Packard Laptop – SN: 5CD6426ZWR
- Samsung Tablet – SN: R52GA2EGX9K
- HP Laptop – SN: 5CD6446S60
- Thinkpad Laptop – Product ID: 0301DCU
- Dell Laptop – SN: 3S24S72

- Dell Laptop – SN: 4XF49 A00
- Samsung Cellphone
- Samsung Galaxy Note 3
- Samsung Galaxy Note 5
- Samsung Galaxy S7 Edge – IMEI: 352330080972149
- Miscellaneous documents and business cards
- Miscellaneous documents
- The Massage Book
- Miscellaneous books
- Tripod

16. On or about On September 17, 2020, Special Agent Yvette Thomas conducted a review of the forensic results of Theodore Woolings BYE's - Samsung Galaxy 5 – Serial Number SMN920V2KA, IMEI 990007020934821. The following videos were recovered from the device.

- a. Video File Name: 13f68b71-59e9-4386-9f08-418866fd5e42 – Video depicts the MINOR CHILD engaged in sexual intercourse with an unknown male subject. The MINOR CHILD's black knee-high socks with two white stripes at the top of the sock is seen in the video. A blue quilted bedspread is visible in the video. It is unknown where this incident occurred. The video was created on 2020:08:25 05:25:13
- b. Video File Name: 13f68b7a-59e9-4386-418866fd5e42 – Video depicts the MINOR CHILD performing oral sex on BYE who is identified by his lip tattoo. An unknown white male subject is engaged in sexual intercourse with the MINOR. The unknown white male subject has tattoos on both arms, short brownish and gray hair and he is wearing eyeglasses. A blue quilted bedspread is visible in the video as well as tan curtains and a picture on the wall. This video was created on 2020:08:25 05:26:00

17. According to the metadata, the GPS coordinates on the videos indicated a latitude 33.7119, longitude -78.8645. The GPS coordinates come back to the area of

Myrtle Beach, South Carolina 29577.

18. According to the forensic software timeline data for those videos, the videos were produced and were mapped out to Myrtle Beach, South Carolina 29577.

19. On or about October 26, 2020, the unknown white male subject was identified as Myrtle Beach, South Carolina 29577.

20. On or about On September 17, 2020, Special Agent Yvette Thomas conducted a review of the forensic results of Theodore Woolings BYE's - Samsung Galaxy 5 – Serial Number SMN920V2KA, IMEI 990007020934821. The following video was recovered from the device.

- a. Video File Name: 99cf3c36-974c-43cd-981f-af5e6252196d – Video depicts the MINOR CHILD performing oral sex on BYE who is identified by a lip tattoo. An unknown Hispanic male subject with medium length wavy black hair is engaged in sexual intercourse with the MINOR CHILD. This incident occurred in an unknown hotel room. There are two beds visible in the room as well as an air conditioner unit under a window. The room has pea green bedspreads on both beds. The MINOR CHILD is heard saying, "I'm sorry". The unknown Hispanic male is asking the MINOR CHILD, "Do you like this fucking cock?" BYE is heard saying, "It doesn't matter what she likes, she's a worthless slut". BYE is then heard in the video saying, "and that's what spit roasting is, right?" The MINOR CHILD states, "right". This video was created on 2020:06:04 13:26:08. Agent note: According to a Google search – "spit roasting" is the sexual practice whereby two men service a single sexual partner at the same time.

21. According to the metadata of the video, the GPS coordinates on the video were latitude 33.6199, longitude -78.9719. The GPS coordinates come back to the area of the Comfort Inn, Camellia Drive, Surfside Beach, South Carolina 29587.

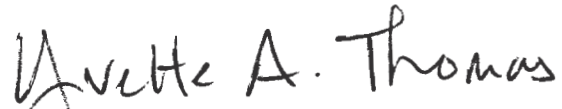
22. On or about October 21, 2020, the unknown Hispanic male was identified as
Surfside, South
Carolina 29575.

23. The MINOR CHILD had informed BYE that she was under 18 years of age.

CONCLUSION

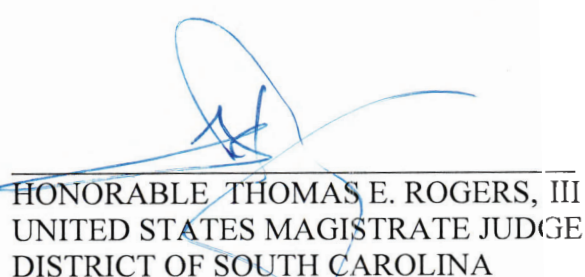
23. Based on the foregoing information, there is probable cause to believe that the defendant THEODORE WOOLINGS BYE III violated the SPECIFIED FEDERAL OFFENSE indicated above. Therefore, I respectfully request that the Court issue a Criminal Complaint charging the defendant with a violation of Title 18, United States Code, Sections 2251(a) and (e) (Production of Child Pornography).

24. Assistant United States Attorney Derek A. Shoemaker has reviewed this affidavit.



Yvette A. Thomas
Special Agent
Homeland Security Investigations

Sworn and subscribed before me this 22th day of January, 2021.


HONORABLE THOMAS E. ROGERS, III
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF SOUTH CAROLINA